

# SENATE JOURNAL

*Forty-First Legislature—Fourth Called Session.*

## FIRST DAY.

Senate Chamber,  
Austin, Texas.

Monday, January 20, 1930.

The Senate met at 12 o'clock noon pursuant to the call of the Governor, and was called to order by Lieutenant Governor Barry Miller.

## Temporary Officers.

The Chair announced the appointment of the following temporary officers:

Secretary, Bob Barker; Sergeant-at-Arms, A. W. Holt; Journal Clerk, Wendell O'Neal; Doorkeeper, Warren Freund.

## Roll Call.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Parr.

## Proclamation of the Governor.

The Chair laid before the Senate the Governor's proclamation as follows:

Proclamation by the Governor of the State of Texas.

To All to Whom These Presents Shall Come:

WHEREAS, the Forty-first Legislature, at its Second Called Session passed Senate Bill No. 49, authorizing and directing the Prison Board, together with four members of the

Senate, selected by the Lieutenant Governor, and five members of the House of Representatives, selected by the Speaker of the House of Representatives, and known as the Texas Prison Centralization Commission, to make a complete investigation of all matters pertaining to the centralization and re-location of the prison system of this State and the rehabilitation thereof; and further authorizing and directing the said Commission to submit to the Legislature of Texas a plan, or plans, for the location or centralization of the prison system of Texas; showing in detail, itemized estimates of the cost of such system, or systems, and an analysis of the operating expense and estimated returns. Said Act came before the Senate and House in the form of a report of a Conference Committee, and was adopted by each branch of the Texas Legislature by a unanimous vote; and,

WHEREAS, said Texas Prison Centralization Commission has completed its investigation and prepared and presented to me its majority and minority reports, and the same are ready for presentation to the Legislature; and,

WHEREAS, the physical properties now constituting the Texas Prison System are of such a nature as to make impossible the efficient operation of a modern penal institution, and are responsible for the failure of the prison system to accomplish the major and more important purposes of such an institution; and the nature of said properties are such as to encourage the escape of inmates, and the attempted operation of said properties as a prison system have constituted a continuous and expensive drain upon the resources of this State for years; and

WHEREAS, the need of reformation and reorganization of said prison system is an emergency, as is recognized by the Legislature in said bill above referred to wherein it is stated that "the fact that the urgent and vital necessity of establishing in this State a modern, efficient and adequate system is apparent to all,

and that it is imperative in the creation of such a system by the Legislature to have before each legislator detailed and accurate data and information which can be secured only by the passage of an Act of this nature; and that it will be necessary for such Commission to begin its labors at the earliest date, create an emergency and an imperative public necessity; and humanitarian considerations, State pride and the economic welfare of the State call for a prompt solution of this public problem; and

WHEREAS, the Forty-first Legislature, at its Second Called Session passed Senate Concurrent Resolution No. 20, providing for the appointment of a committee consisting of two members of the Senate, to be appointed by the President of the Senate, and three members of the House, to be appointed by the Speaker of the House of Representatives, for the purpose of making an investigation in reference to fees of officers, in this State, who are paid either in whole or in part under the Fee Bill, and to ascertain and report on the amounts earned by various officers paid on such basis, and how much they retain out of such fees or other compensation; and

WHEREAS, said committee was appointed; has made the investigations contemplated by said Resolution, and has prepared and presented to me its report; and

WHEREAS, said report reflects certain deficiencies in our laws requiring the keeping of reports by public officers; that some county officers are receiving as much as \$22,000.00 net per year; that with apparent legal sanction some county officers are placing trust funds in banks and drawing and retaining interest on the daily balances thereof; that with apparent legal authority certain officers are being allowed additional compensation over and above that fixed by law; that fees in delinquent tax suits are more burdensome than just; and that certain counties are entering into contracts for the collection of delinquent taxes at unreasonable rates of compensation to the contractor which results in imposing a burden upon the State revenues, and said committee reports that the State will lose under these extravagant contracts probably as much as one-half million dollars over and above what would be a rea-

sonable compensation for the collection of said taxes; and

WHEREAS, the economic welfare of the State, and the proper dignity of Texas requires the prompt and speedy re-organization and reformation of Texas' antiquated and outworn make-shift of a prison system, and the good and well being of the State requires that legislative attention be given to the report of said legislative committee which investigated the operation of the Fee System in this State;

NOW, THEREFORE, I, DAN MOODY, Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution of this State, hereby call a

#### Special Session

of the Forty-first Legislature, to be convened in the City of Austin, commencing at twelve o'clock, noon, on Monday, the twentieth day of January, A. D., 1930, for the purpose:

1. To provide for the reorganization and reformation of the Texas Prison System, and the improvement of the Texas Prison System into a modern penal institution.

2. To consider the report of said legislative committee appointed to investigate the operation of the Fee System, and the enactment of laws placing proper limits upon the fees of officers, and preventing the collection of unreasonable compensation in the matters pointed out in said report.

3. To consider and act on such other subjects of public importance as may, from time to time during the Session, be submitted by message or otherwise.

IN TESTIMONY WHEREOF, I hereunto sign my name and cause to be impressed herein the Seal of the State, of Texas at Austin, this the fourteenth day of January, A. D., 1930.

(SEAL) DAN MOODY,  
Governor of Texas.

BY THE GOVERNOR:  
JANE Y. McCALLUM,  
Secretary of State.

THE STATE OF TEXAS,  
Department of State.

I, Jane Y. McCallum, Secretary of State of the State of Texas, do hereby certify that the foregoing is a true and correct copy of the Procla-

mation issued by the Governor of the State of Texas on January 14, 1930, calling a Special Session of the Forty-first Legislature to convene in the City of Austin at twelve o'clock, noon, Monday, the twentieth day of January, A. D., 1930.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon, the Seal of State at my office in the City of Austin, this fourteenth day of January, A. D., 1930.

JANE Y. McCALLUM,  
Secretary of State.

The proclamation was read.

#### Senators Excused.

On motion of Senator Stevenson, Senator Parr was excused for the day on account of important business.

Prayer by the Chaplain.

#### Recess.

On motion of Senator Woodward the Senate at 12:10 o'clock p. m. recessed until 1 o'clock.

#### After Recess.

The Senate met at 1 o'clock p. m. pursuant to recess and was called to order by Lieutenant Governor Barry Miller.

#### Recess.

On motion of Senator Woodward the Senate, at 1:01 o'clock p. m., recessed until 3 o'clock p. m.

#### After Recess.

The Senate met at 3 o'clock p. m. pursuant to recess and was called to order by Lieutenant Governor Barry Miller.

#### Caucus Report.

Senator Hyer sent up the following caucus report:

Senate Chamber,  
Austin, Texas, January 20, 1930.  
Honorable Barry Miller, Lieutenant Governor:

A caucus was held in the office of the Senate attended by twenty-nine (29) Senators-elect, and by unanimous vote of those present, it was agreed that those Senators present holding proxies for those Senators absent could cast said proxies.

The purpose of the caucus was to determine the number and personnel of the Senate officers and employees of the ensuing Fourth Called Session of the Forty-first Legislature. Senator Witt was elected Chairman of the caucus, and Senator Pollard was elected Secretary.

The following officers and employees were recommended as officers and employees of the Senate during the Fourth Called Session of the Forty-first Legislature:

Secretary of Senate: Bob Barker.  
Assistant Secretary of Senate: Morris Hankins.  
Journal Clerk: Wendell O'Neal.  
Assistant Journal Clerk: Mrs. Hugh Harris.  
Secretary of Finance Committee: D. Lux.  
Assistant Secretary of Finance Committee: Murry Butler.  
Sergeant-at-Arms: A. W. Holt.  
First Assistant Sergeant-at-Arms: Lee McDougall.  
Second Assistant Sergeant-at-Arms: J. C. Adrian.  
Third Assistant Sergeant-at-Arms: W. P. Midkiff.  
Fourth Assistant Sergeant-at-Arms: Tom McLendon.  
Fifth Assistant Sergeant-at-Arms: J. C. Mock.  
Sixth Assistant Sergeant-at-Arms: H. C. Garrard.  
Seventh Assistant Sergeant-at-Arms: A. W. Townsend.  
Eighth Assistant Sergeant-at-Arms: Sam Russell.  
Custodian of Supplies: T. H. Allen.  
Calendar Clerk: Mrs. Grace Jennings.  
Assistant Calendar Clerk: Miss Juanita Wills.  
Assistant Calendar Clerk: Colonel J. T. Stockton.  
Mailing Clerk: Mrs. Ann Polglass.  
First Assistant Mailing Clerk: Lila Roberts.  
Second Assistant Mailing Clerk: Cora Carver.  
Third Assistant Mailing Clerk: Estelle Gardner.  
Fourth Assistant Mailing Clerk: Irene Rose.  
Fifth Assistant Mailing Clerk: Lola Glass.  
Sixth Assistant Mailing Clerk: Helen Matheney.  
Seventh Assistant Mailing Clerk: Inez Sullivan.

Eighth Assistant Mailing Clerk: Clarice Morgan.

Librarian: Miss Theodosia Bell.

Postmistress: Mrs. F. E. Sewell.

Chaplain: Rev. W. H. Doss.

Telephone Operator: Miss Mary Jacobs.

Assistant Telephone Operator: R. Ammerman.

Doorkeeper: Warren Freund.

First Assistant Doorkeeper: Everett Boyd.

Second Assistant Doorkeeper: A. Bagby.

Third Assistant Doorkeeper: Carey Thompson.

Fourth Assistant Doorkeeper: Charley Zivley.

Fifth Assistant Doorkeeper: J. M. Gault.

Sixth Assistant Doorkeeper: J. T. Bledsoe.

One Messenger: Sam Tigner.

One Messenger: A. W. Mitchell.

Custodian of Senate: C. K. Walters.

Chief Engrossing and Enrolling Clerk: Carl Boes.

Carbon Clerk and Messenger: G. C. Sellers.

Notary Clerk: W. M. Connelly.

Warrant Clerk: Mrs. Walter Pierce.

One Proofreader: Mrs. Lola Laurence.

Second Proofreader: Miss Alice Hoskins.

Typists: C. C. Hall, Kate Johnson, Jack Boyett, William Glass, Tom Adams, C. W. Kennedy, Joel Gunn.

The Lieutenant Governor is authorized to appoint an elevator boy to serve at night and on Sunday, said elevator boy to receive \$4.00 per day.

The Sergeant-at-Arms is hereby directed to see to it that his office is kept open on all nights and also on Sundays and on Sunday nights; it is further directed that there shall be one telephone operator on duty every night, also on Sundays and Sunday nights; it is further directed that the postoffice shall be kept open on Sunday; and that the Sergeant-at-Arms shall have charge of all Assistant-Sergeants-at-Arms, and that the Doorkeeper shall have charge of all Assistant Doorkeepers, and that each shall distribute the duties among such assistants and direct the time and hours they shall work.

It is further recommended that the Enrolling and Engrossing Committees be authorized to employ Enrolling and Engrossing Clerks, and such assistants as necessary; and that the Enrolling and Engrossing Clerk shall receive \$10.00 per day for his service, and assistants \$5.00 per day.

It is further recommended that Senators Hyer, McFarlane and Hardin be continued as a Committee on Committees and that their duties be the same as the last session.

It is further recommended that the Chairman of the Penitentiary Committee be allowed to select a Secretary for the Penitentiary Committee.

It is further recommended that each Senator be permitted to name one stenographer and that such employee act as clerk to each committee of which said Senator shall be chairman, save and except that this does not apply to the Chairman of the Finance Committee and the Finance Committee and Penitentiary Committee.

It is further recommended that the President of the Senate have exclusive appointment of such number of pages and porters as in his judgment may be necessary.

It is further recommended that the compensation of officers and employees named, except as otherwise expressly provided, shall receive \$5.00 per day, except that the Secretary of the Senate, the Journal Clerk, Calendar Clerk and the Sergeant-at-Arms shall receive \$10.00 per day, and the Assistant Calendar Clerks, Assistant Secretary of Senate and First Assistant Journal Clerk shall receive \$7.50 per day, and porters shall receive \$3.00 per day each, the head porter and porter carrying mail \$4.00 per day each.

It is further recommended that the Lieutenant Governor and Senators be authorized to use any of the employees needed for any other work in the Senate where their services may be required, in the judgment of the Lieutenant Governor.

It is further recommended that the Lieutenant Governor be permitted to select a secretary at a salary of \$10.00 per day, and an assistant secretary at a salary of \$6.00 per day, and a personal messenger at a salary of \$5.00 per day.

It is further recommended that

the Senators be given such time as they desire to name their personal appointments, and that such appointments be made by handing the names of such appointees to the Secretary of the Senate.

It is further recommended that twenty-five hundred (2,500) daily Journals be printed and that the same be prorated among the Senators and the Lieutenant Governor, except that 300 shall be furnished the members of the House.

It is further recommended that the Sergeant-at-Arms rent such typewriters as may be necessary for the use of the employees of the Senate, such rental not to exceed \$4.00 per month per machine.

It is further recommended that the Lieutenant Governor and each Senator and Secretary of the Senate be allowed the stationery and postage needed by them respectively, and be allowed expenses incurred in the transmitting and receiving of telephone messages and telegraph messages and expenses that may be actually necessary in the discharge of his official duty.

It is further recommended that the Chairman of the Finance Committee be authorized to appoint a clerk to the Finance Committee and a first assistant clerk, and that their salaries shall be the same as during the Third Called Session of the Forty-first Legislature, and that he be authorized to appoint such other clerks as he deems necessary at a salary of \$5.00 per day.

It is further recommended that each Senator and the Lieutenant Governor be permitted to subscribe to five daily papers, to be paid out of the contingent fund.

WITT, Chairman,  
POLLARD, Secretary.

The report was read.

Senator Hyer moved that the report be adopted. The motion prevailed.

#### Oath of Office Administered.

The Chair administered the oath of office to the newly-elected employees.

#### President Pro Tem Elected.

The Chair announced that nom-

inations for President Pro Tem were in order.

Senator Moore nominated Senator Witt.

Senator Hyer moved that the nominations cease. The motion prevailed.

The Chair appointed Senators Moore, Hyer, and Woodward tellers.

The tellers announced the following results:

Senator Witt—29.

The Chair declared Senator Witt unanimously elected, and appointed Senators Moore, Hyer, and Woodward to escort Senator Witt to the platform, where the oath of office was administered.

The Chair introduced President Pro Tem Witt who briefly addressed the Senate.

#### Notification Committees.

On motion of Senator Parrish, the Chair appointed the following committees:

To notify the Governor: Senators Woodward, Parrish, and DeBerry.

To notify the House: Senators Beck, Cunningham, and Patton.

#### Appointments Announced.

The Chair announced the following appointments:

Porters.—Jim Jackson, Head Porter; Tom Burton, Mail; Booze Harris, Sam Trigg, Chas. Jackson, Sam Grant, Fred Rhambo, Buck Green.

T. L. Wheeler, Secretary to Lieutenant Governor.

Miss Virginia Turner, Assistant Secretary to Lieutenant Governor.

Charles Pratt, Private Messenger to Lieutenant Governor.

Pages.—Frank Scott, Moose Morgan, Ellwood Brown, Billie Renfro, Robert Ledbetter, Pete Campbell, George Blackburn, Erwin Eilers, Hewett Davis, Tom Labenski, Earl Phares, Martin Wukasch, Jack Corbett, Chas. Wheeler, Page to Sergeant-at-Arms.

#### Simple Resolution No. 1.

Senator Hornsby sent up the following resolution:

Be it resolved by the Senate, that Mrs. Mary Mobley, a deserving and needy widow, be employed as Janitress for the ladies rest room of the Senate during the Special Session and be paid the sum of \$3.00 per day.

HORNSBY.

Read and adopted.

**Notification Committees Report.**

The committee appointed to notify the House appeared at the bar of the Senate and Senator Patton announced that the House had adjourned. The Chair announced that the committee would be continued until tomorrow.

The committee appointed to notify the Governor appeared at the bar of the Senate and Senator Parrish announced that they had performed their duty.

**Simple Resolution No. 3.**

Senator Love sent up the following resolution:

Resolved, that the Attorney General of Texas is requested, as early as practicable, to communicate to the Senate for its information his opinion as to whether any executive committee of any political party has the power under the laws of this State to bar any person from participating in the party primary, either as a candidate for office or as a voter, because such a person has voted against a nominee of such party at an election heretofore held, after participating in the primary conventions and primary elections of such party.

LOVE.

The resolution was read.

Senator Holbrook raised the point of order that the substance of the resolution was not included in the Governor's call and that the resolution was out of order.

The Chair overruled the point of order, stating that it was the privilege of any Senator to request such information from the Attorney General.

Senator Wirtz moved to table the resolution. The motion prevailed by the following vote:

Yeas—15.

Beck.	Patton.
Cunningham.	Russek.
DeBerry.	Small.
Gainer.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Williamson.
Martin.	Wirtz.
Miller.	

Nays—12.

Berkeley.	Moore.
Cousins.	Neal.
Hardin.	Parrish.
Hyer.	Witt.
Love.	Woodul.
McFarlane.	Woodward.

Absent.

Greer.	Westbrook.
Pollard.	

Absent—Excused.

Parr.

**Reasons for Vote on S. R. No. 3.**

I vote aye because the author of this resolution as Chairman of the Senate Committee on Federal Relations is authorized to request and obtain the Attorney General's opinion on this question.

HORNSBY.

**Reasons for Vote.**

On Senate Simple Resolution No. 3 on a motion to table I vote yea because the information sought in this resolution could have been procured by Senator Love, the author of the resolution, as he is chairman of a Senate committee and the law clearly gives him that authority. I am in favor of this question being settled but I do not care to see this Senate continually in a turmoil over politics as we have much work to do.

DeBERRY.

**Bills and Resolutions.**

By Senator Witt:

S. B. No. 1, A bill to be entitled "An Act providing for the reorganization of the Penitentiary of the State of Texas; for the purchase of lands therefor; for construction of a central prison plant; providing for the disposition of the present penitentiary properties at Huntsville, Texas, and of certain of the farms now owned by the prison system; creating a special commission to select a proper site for said new prison plant, and to contract for and supervise the construction thereof, and defining the powers of said Commission; providing for the manufacturing and supplying to the Board of Control merchandise and supplies for State use by the Prison System; authorizing and directing the State

Board of Control and the State Highway Commission to purchase from the State Prison Board certain materials, supplies and labor needed for State use; making an appropriation to be used in carrying out the provisions of the Act, and declaring an emergency."

Read and referred to Committee on Penitentiaries.

By Senator Pollard:

S. B. No. 2, A bill to be entitled "An Act to make an appropriation of the sum of One Hundred Fifty Thousand Dollars (\$150,000.00), or so much thereof as may be necessary, payable out of the General Revenue of the State of Texas, not otherwise appropriated, to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the Fourth Called Session of the Forty-first Legislature of the State of Texas, and to pay the contingent expenses of the Fourth Called Session of the Forty-first Legislature of the State of Texas, and to pay any unpaid expenses incurred by the Third Called Session of the Forty-first Legislature of the State of Texas, and providing for the approval of accounts and declaring an emergency."

Read and referred to Committee on Finance.

Senator Excused.

On motion of Senator Beck, Senator Pollard was excused for the remainder of the day on account of important business.

Senate Bill No. 2.

The Chair laid before the Senate the following bill:

By Senator Pollard:

S. B. No. 2, A bill to be entitled "An Act to make an appropriation of the sum of One Hundred Fifty Thousand Dollars (\$150,000.00), or so much thereof as may be necessary, payable out of the general revenue of the State of Texas, not otherwise appropriated, to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the Fourth Called Session of the Forty-first Legislature of the State of Texas, etc., and declaring an emergency."

On motion of Senator Beck the rule requiring committee reports to

lie over 24 hours was suspended by a two-thirds vote.

The committee report was adopted.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 2 was put on its second reading by the following vote:

Yeas—29.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Absent—Excused.

Parr. Pollard.

The bill was read second time and passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. was put on its third reading and final passage by the following vote:

Yeas 29.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Absent—Excused.

Parr. Pollard.

Read third time and finally passed by the following vote:

## Yeas—29.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

## Absent—Excused.

Parr.	Pollard.
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## Message From the House

The Chair recognized the Door-keeper who introduced a messenger from the House with the following message:

Hall of the House of Representatives,  
Austin, Texas, January 20, 1930.  
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 1, relating to an inspection trip to the State penitentiary.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives

## S. C. R. No. 1.

Senator Patton sent up the following resolution:

WHEREAS, For many years the problem of the proper development of the prison system of Texas has been a question confronting the people of this State, and

WHEREAS, It is of importance to the people of Texas that this issue be now properly met, and

WHEREAS, The paramount legislative problem confronting the Fourth Called Session of the 41st Legislature of the State of Texas is that of deciding upon and carrying out the proper solution to this problem, and

WHEREAS, The 41st Legislature has already expended large sums of money in the commendable effort to

secure the needed information in intelligently considering the future of the penitentiary system of Texas, and,

WHEREAS, The Second Called Session of the 41st Legislature authorized a commission to thoroughly investigate this problem, and,

WHEREAS, Said commission has now made such investigations, and has secured first-hand information on the penitentiary problems in many of the states of the American Union, and,

WHEREAS, In order to supplement the information secured by said commission, first-hand information by the members of the Legislature of the State of Texas will be invaluable to the proper discussion and solution of the problem of properly housing the penitentiary system of the State of Texas, now, therefore

BE IT RESOLVED BY THE SENATE, the House of Representatives concurring, that a committee of five, to be composed of three members of the House appointed by the Speaker and two members of the Senate appointed by the President of the Senate, is hereby authorized and instructed to arrange for transportation and hotel accommodations and to make other necessary arrangements to take the members of the House and Senate on an inspection trip to the State penitentiary at Huntsville, Walker County, Texas, and other penitentiary properties of the State at the earliest hour practicable.

BE IT FURTHER RESOLVED, That full authority is hereby conferred on said committee to incur the expenses necessary for said trip by the Legislature of the State of Texas, and

BE IT FURTHER RESOLVED, That the necessary expenses incurred on said trip of inspection be paid out of the contingent fund upon proper affidavits being executed by members of said committee of five.

BE IT FURTHER RESOLVED, that private hospitality and public entertainment be not accepted.

PATTON,  
WOODUL,  
WITT.

The resolution was read.  
The Chair laid before the Senate



H. C. R. No. 1, relating to the same subject.

Senator Woodul sent up the following amendment:

Amend H. C. R. No. 1 by adding at the end the following:

"Be it further resolved that no private or public entertainment be accepted by the Legislature during this trip."

WOODUL.

Read and lost by the following vote:

Yeas—13.

Beck.	Love.
Berkeley.	Patton.
Cousins.	Small.
Cunningham.	Stevenson.
DeBerry.	Thomason.
Gainer.	Woodul.
Greer.	

Nays—14.

Hardin.	Moore.
Holbrook.	Neal.
Hornsby.	Parrish.
Hyer.	Russek.
Martin.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.

Absent.

Westbrook. Woodward.

Absent—Excused.

Parr. Pollard.

Senator Parrish moved to reconsider the vote by which Senator Woodul's amendment was lost. The motion prevailed.

Senator DeBerry sent up the following substitute for the amendment:

Amend H. C. R. No. 1 by adding at the end the following:

"Be it further resolved that no public entertainment be accepted by the Legislature during this trip."

DeBERRY.

Read and adopted.

The amendment as substituted was adopted.

The resolution as amended was adopted.

S. C. R. No. 1 was placed on the table subject to call.

S. B. No. 1.

Senator Love moved that S. B. No. 1 be withdrawn from the Committee on Penitentiaries and considered by the Senate as a committee of the whole.

Senator Wirtz raised the point of order that the bill must be reported by a committee before it could properly be considered by the Senate as a committee of the whole.

Adjournment.

Senator Cousins moved to adjourn until tomorrow morning at 10 o'clock. The motion prevailed by the following vote:

Yeas—15.

Berkeley.	Miller.
Cousins.	Moore.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Russek.
Hornsby.	Small.
Martin.	Wirtz.
McFarlane.	

Nays—11.

Beck.	Stevenson.
DeBerry.	Williamson.
Holbrook.	Witt.
Hyer.	Woodul.
Love.	Woodward.
Neal.	

Absent.

Cunningham. Westbrook.  
Thomason.

Absent—Excused.

Parr. Pollard.

At 5:15 o'clock the Senate adjourned.

## APPENDIX.

### Committee Reports.

Committee Room,  
Austin, Texas, January 20, 1930.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 1, A bill to be entitled "An act to make an appropriation of the sum of One Hundred Fifty Thousand Dollars (\$150,000.00), or so much thereof as may be necessary,

payable out of the general revenue of the State of Texas, not otherwise appropriated, to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the Fourth Called Session of the Forty-first Legislature of the State of Texas, and to pay the contingent expenses of the Fourth Called Session of the Forty-first Legislature of the State of Texas, and to pay any unpaid expenses incurred

by the Third Called Session of the Forty-first Legislature of the State of Texas, and providing for the approval of accounts and declaring an emergency."

Have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

POLLARD, Chairman.

# In Memory of Honorable Quintus H. Watson

## SIMPLE RESOLUTION NO. 2

Senator Wirtz sent up the following resolution:  
By Wirtz, Russek, Holbrook, Woodul, Cousins, Martin, Gainer, Patton,  
Miller, Small, Thomason, Stevenson, Hornsby.

WHEREAS, Since the adjournment of the Third Called Session of the Legislature the Honorable Quintus U. Watson, a former member of this Senate, has departed this life; and,

WHEREAS, The Houston Bar Association, of which he was a distinguished member, paid just tribute to his memory by the following resolution:

"A descendant of pioneer stock, the names of which, paternal and maternal, are imperishably intertwined with the history of Washington County and of this State from the days of Stephen F. Austin to the present, Quintus U. Watson was born in that county on the 2nd day of July, 1874. That historic community had long been an outstanding center of culture and of legal attainment. The names of Bassett, Sayles, Breedlove, Shepherd, Giddings, Garrett, Searcy, Kirk, and other members of the Brenham Bar are written large upon the roll of learned and eloquent lawyers. His boyish ambition was stirred by association with these great men and the ideals of excellence and character bulidged upon their examples became a part of his life, never to be departed from during all of its vicissitudes.

"Completing a sound education at Agricultural and Mechanical College at Bryan, he entered the office of Searcy & Garrett at Brenham as a student, from whence he was called to the Bar in 1893. He began practice at Giddings, where he soon became associated as a partner with the outstanding firm of Rector & Harris under the firm name of Rector, Harris & Watson. Few, if any, cases were tried at that Bar in which he was not of counsel, and the firm enjoyed a large and lucrative practice.

"So deep a hold had he secured upon the affection and respect of the people that in 1907 he was elected to the State Senate, from which high station he voluntarily retired after eight years of service.

"He brought to the service of his State a lofty patriotism, a soundness of judgment, a strength of conviction, a knowledge of the law, history and policies of the State which made him at once an outstanding figure in her councils.

"To these high qualities were added a perfect courage, physical and moral, and a kindness of heart which endeared him to all his associates. The natural influence which he there acquired remained with him throughout his life. His ripe wisdom was perhaps more often utilized, and his rare understanding of public affairs more often availed of by his fellow citizens than any man of his day.

"After the termination of his senatorial career, he established himself in his profession in Houston and soon thereafter, to-wit, in 1922, he formed a congenial and successful association with John T. Garrison under the firm name of Garrison & Watson, which continued until his death.

"As a citizen of Houston he was actively connected with the civic, fraternal and professional activities of the community. Here his life was known of all men, but there was a gentle, deeper part known only to but very few, and that was a kindly, gentle and widespread charity—a private charity of which he spoke to none.

"Great as were his attainments in those honorable pursuits which enlist the energies of most men, the deep tenderness and beauty of his life found expression and consummation in his marriage in Burton, Texas, in 1897, to Miss Jessie Burton,—like himself a member of an old and honored Texas family. Their union was a mingling of great traditions, and there continued throughout their lives an ideally beautiful companionship of mutual trust, perfect sympathy and tender devotion of each to the other. Many of your committee have daily witnessed the continuous and unbroken perfection of that association.

"A strong and true man, a fearless and patriotic citizen, a capable and distinguished lawyer has passed to his exceeding great reward.

"Therefore, be it resolved, that in the death of Q. U. Watson this Association has lost a distinguished member, the Bar of the State an ornament, our common country a true patriot and all good men a friend."

THEREFORE, BE IT RESOLVED that the Senate of Texas adopts the foregoing resolution; and further, that when it adjourns today it does so in honor of his memory, and that a page of the Senate Journal be set aside embracing this resolution.

The resolution was read.

Senators Wirtz, Holbrook, Martin, Lieutenant Governor Miller, Senators Hornsby and Cousins spoke in support of the resolution.

The resolution was adopted unanimously by a rising vote.